

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
BEFORE THE HONORABLE JAMES DONATO

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) No. CR 21-0155 JD
)
CARLOS KEPKE,) San Francisco, California
Defendant.) Monday
) March 21, 2022
) 10:30 a.m.

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff: STEPHANIE M. HINDS
 United States Attorney
 Northern District of California
 150 Almaden Boulevard.
 Suite 900
 San Jose, California 95113
BY: **MICHAEL J. PITMAN**
 ASSISTANT UNITED STATES ATTORNEY

For Defendant: GOODWIN PROCTER LLP
 601 Marshall Street
 Redwood City, California 94063
BY: **GRANT P. FONDO, ESQ.**

Reported By: **Debra L. Pas, CSR 11916, CRR, RMR, RPR**

Official Reporter - US District Court

Computerized Transcription By Eclipse

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Official Reporter - U.S. District Court - San Francisco
(415) 431-1477

1 Monday - March 21, 2022

10:37 10:37 a.m.

2 P R O C E E D I N G S

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4 **THE CLERK:** Calling Criminal 21-155 United States
10:37 5 versus Carlos Kepke.

6 **MR. PITMAN:** Good morning, Your Honor. Michael
7 Pitman for the United States.

8 **MR. FONDO:** Good morning Your Honor. Grant Fondo for
9 Mr. Kepke, the defendant.

10:37 10 **THE COURT:** Okay. If you're fully vaccinated and
11 you're comfortable, you can take your masks off. I leave it up
12 to you, but you're certainly free to do that.

13 All right. What are we doing today?

14 **MR. PITMAN:** Your Honor, for the Government, I think
10:37 15 the -- we don't need anything. We don't have any issues that
16 require the Court's attention from the Government's
17 perspective. The Court has set a trial schedule and the
18 parties have absorbed that.

19 We're continuing to work together to get the case ready
10:38 20 for trial on the schedule the Court has set, and Mr. Fondo and
21 I are working together regularly to make sure that discovery is
22 exchanged in a way that is productive and helpful and the
23 defendant has what he needs in anticipation of trial.

24 **THE COURT:** Okay.

10:38 25 **MR. FONDO:** That's generally correct, Your Honor. We

10:38 1 may have motions at a future date, but for today there is
2 nothing more.

3 **THE COURT:** Then why are we here today? One of you
4 asked for this, I thought.

10:38 5 **MR. PITMAN:** Well, the schedule was set, Your Honor,
6 because we had some issues with scheduling, but the Court
7 has -- had addressed those in a written order.

8 **THE COURT:** Next time you can just say, "We don't
9 need to come in." I leave it up to you.

10:38 10 **MR. PITMAN:** Well, nice to see you, Your Honor.

11 **THE COURT:** Nice to visit; but if you don't need
12 anything, you can always just say "thanks."

13 All right. So next stop is trial; right?

14 **MR. PITMAN:** Well, the Court has set a pretrial
10:38 15 schedule that will require us to see you before then, but I
16 wonder if the Court would anticipate or consider, I guess,
17 scheduling sort of a check date maybe sometime in the summer,
18 when we can come in?

19 Obviously, if there is nothing to bring to the Court's
10:39 20 attention, we can stip it off in advance.

21 **THE COURT:** If you would like to. When do you want
22 to do that?

23 **MR. PITMAN:** I defer to Mr. Fondo, his schedule.

24 **MR. FONDO:** We could do that in early June or early
10:39 25 to mid July would be fine.

10:39 1 **THE COURT:** Early June seems a little too early. How
2 about sometime in the first or second week of August? How
3 about that?

4 Okay. You two just pick a date. Just schedule it and if
10:39 5 you decide, you know, a week ahead of time you don't need it,
6 that's fine. Okay? You can just cancel it.

7 Okay. Is that good?

8 **MR. PITMAN:** Thank you, Your Honor.

9 **THE COURT:** Okay. Thanks for coming in.

10:39 10 **MR. FONDO:** Thank you, Your Honor.

11 (Proceedings adjourned.)

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CERTIFICATE OF OFFICIAL REPORTER

I certify that the foregoing is a correct transcript from
the record of proceedings in the above-entitled matter.

Debra L. Pas

Debra L. Pas, CSR 11916, CRR, RMR, RPR

Saturday, March 26, 2022